



**PIMA COUNTY ATTORNEY'S OFFICE  
DEFERRED PROSECUTION  
ANNUAL REPORT FISCAL YEAR 2012/2013**

**ADULT DIVERSION PROGRAM ORGANIZATION**

**The program is comprised of four separate diversion entities:**

- Domestic Violence Diversion Program (DVDP)
- Felony Diversion Program (FDP)
- Misdemeanor Diversion Program (MDP)
- Substance Abuse Diversion Program (SADP)

**Domestic Violence Diversion Program (DVDP)**

This program is designed to handle 1<sup>st</sup> time diversion eligible defendants arrested for a domestic violence misdemeanor offense. The defendant is interviewed and supervised by an Adult Diversion Specialist (Specialist). The Specialist conducts an initial interview to determine the types of intervention strategies to be completed. The defendant will be supervised by the Specialist from 6 to 12 months. The defendant must attend programs such as counseling and anger management classes as well as pay restitution and diversion fees. The defendant will complete volunteer community service hours at the discretion of the Specialist. Periodic and random drug testing may be required of the defendant. The supervision method and the contact frequency of the defendant are at the discretion of the Specialist. One of the priorities of the Specialist is to ensure that the victim is restored. If the defendant complies with diversion, the case will be

terminated successfully. At any point, the defendant can be terminated unsuccessfully for failure to comply.

### **Felony Diversion Program (FDP)**

This program is designed to handle 1<sup>st</sup> time diversion eligible defendants arrested for a felony offense. The defendant is interviewed and supervised by a Specialist. The Specialist conducts an initial interview to determine the types of intervention strategies to be completed. The defendant will be supervised by the Specialist from 12 to 36 months. The supervision method and the contact frequency of the defendant are at the discretion of the Specialist. The Specialist will direct the defendant to attend counseling programs, life skill enhancement classes, pay restitution and diversion fees. The defendant will complete volunteer community service hours at the discretion of the Specialist. Periodic and random drug testing may be required of the defendant. If the defendant complies with diversion, the case will be terminated successfully. At any point, the defendant can be terminated unsuccessfully for failure to comply.

### **Misdemeanor Diversion Program (MDP)**

This program is designed to handle diversion eligible defendants arrested for 1<sup>st</sup> or 2<sup>nd</sup> time misdemeanor offenses. These defendants are unsupervised. They are referred from the Court to Adult Diversion Program (ADP). The Defendant must appear at ADP within 48 hours after their hearing and check-in. At that time they complete the appropriate paperwork, are given the fee amounts, programs to attend, and number of volunteer community service hours to complete. The majority of the contact and paperwork is handled by Legal Processing Support (LPS) however the

termination decision is made by the Specialist. If the defendant complies with diversion, the case will be terminated successfully. At any point, the defendant can be terminated unsuccessfully for failure to comply.

### **Substance Abuse Diversion Program (SADP)**

This program is designed to handle diversion eligible defendants arrested for 1<sup>st</sup> or 2<sup>nd</sup> time drug offenses such as, unlawful possession of marijuana or paraphernalia and alcohol. These defendants are unsupervised. They are referred from the Court to ADP. The Defendant must appear at ADP within 48 hours after their hearing and check-in. At that time, the defendant will complete the appropriate paperwork, are given the fee amounts, programs to attend, and number of volunteer community service hours to complete. The majority of the contact and paperwork is handled by Legal Processing Support (LPS) however the termination decision is made by the Specialist. If the defendant complies with diversion, the case will be terminated successfully. At any point the defendant can be terminated unsuccessfully for failure to comply.

### **PROGRAM SUPERVISION**

Currently, two Specialists supervise the Felony Diversion Program (FDP) cases, the Domestic Violence Diversion Program (DVDP) cases, the Misdemeanor Diversion Program (MDP) cases, and Substance Abuse Diversion Program (SADP) cases. Two Legal Processing Support (LPS) assist the two Specialists. A director monitors the everyday operations of the program and the four employees.

## **FY 2011/2012 Adult Diversion Program Statistics**

### **Year totals all programs combined:**

Total number of cases processed:	1,638
Total number of new referrals:	1,305
Total number of successful terminations:	903
Total number of unsuccessful terminations:	280
Total number of cases closed:	1,183
Total number of pending cases:	455
Compliance Rate:	76%

### **Year totals for each individual program:**

	Total Closed	Successful	Unsuccessful	Compliance Rate
Felony Diversion Program:	101	40	61	40%
Domestic Violence Diversion Program:	217	138	79	64%
Misdemeanor Diversion Program:	244	200	44	82%
Substance Abuse Diversion Program:	621	525	96	84%
<b>Total</b>	<b>1,183</b>	<b>903</b>	<b>280</b>	<b>76%</b>

The compliance rate was tabulated by taking the total number of terminated cases (1,183) and dividing it into the total number of cases successfully terminated (903) and multiplying the number by 100. This equals the percentage rate  $903 \text{ divided by } 1,183 = . 0.7633 \times 100 = 76\%$  compliance rate.

**Year totals for each specialist:**

Specialist compliance rate numbers are derived from cases actually worked. The following reasons for termination from diversion are not counted as unsuccessful: defendant denies allegations; defendant fails to show for the initial interview, or defendant rejects the program at the initial interview. The numbers shown in the “Total Worked/Closed” category are actual cases worked and closed minus the cases unsuccessfully terminated for the above reasons. These reasons are beyond the control of the Specialist. The above does not apply to Misdemeanor Diversion Program and Substance Abuse Diversion Program.

	Total Worked/ Closed	Successful	Unsuccessful	Compliance Rate
Felony Diversion Program:	92	40	52	43%
Domestic Violence Diversion Program:	196	138	58	70%
Misdemeanor Diversion Program:	244	200	44	82%
Substance Abuse Diversion Program:	621	525	96	84%
<b>Total</b>	<b>1153</b>	<b>903</b>	<b>250</b>	<b>78%</b>